

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 CIAE-00 INR-07 NSAE-00
INRE-00 SCA-01 SCS-03 L-03 H-01 DHA-02 PRS-01
SSO-00 SS-15 SP-02 NSC-05 NSCE-00 USIE-00 DODE-00
/053 W

-----128752 291858Z /47

O R 291630Z JUN 77
FM AMEMBASSY BELGRADE
TO SECSTATE WASHDC IMMEDIATE 1263
INFO CSCE COLLECTIVE
AMCONSUL ZAGREB

C O N F I D E N T I A L SECTION 1 OF 2 BELGRADE 4388

E.O. 11652: GDS
TAGS: CASC, CSCE, PINS, YO
SUBJECT: DEMARCHE REGARDING LACK OF CONSULAR ACCESS TO U.S. CITIZENS

REFS: A) LONDON 9926; B) LONDON 10575; C) BELGRADE 4034;
D) BELGRADE 4312

1. DCM AND CONSULAR SECTION CHIEF CALLED ON ALEXANDAR MANETOVIC, DIRECTOR OF CONSULAR AFFAIRS, FEDERAL SECRETARIAT FOR FOREIGN AFFAIRS, THIS MORNING TO EXPRESS EMBASSY'S CONCERN OVER RECENT AND CONTINUING INCIDENTS OF FAILURE TO GIVE TIMELY NOTICE OF DETENTION AND EXPULSION OF AMERICAN CITIZENS FROM YUGOSLAVIA. THERE HAVE BEEN FIVE SUCH CASES OF WHICH THE EMBASSY IS AWARE.

2. IN MEETING LASTING ALMOST TWO HOURS, DCM EMPHASIZED THAT EMBASSY'S MAJOR CURRENT CONCERN, ALREADY EXPRESSED IN A DIPLOMATIC NOTE, IS THAT EMBASSY HAD NOT BEEN NOTIFIED WHEN U.S. CITIZENS HAD BEEN DETAINED AND THAT CONSULAR ACCESS HAD NOT BEEN PERMITTED, ADDING THAT IN TWO CASES THE EXPELLED CITIZENS HAD TOLD EMBASSY OFFICERS IN LONDON THAT THEY HAD SPECIFICALLY REQUESTED PERMISSION TO TELEPHONE THE EMBASSY AND THAT SUCH PERMISSION HAD BEEN DENIED.

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3. MANETOVIC STRESSED THAT GOY HAD MADE CLEAR TO ALL PARTICIPATING COUNTRIES THAT ALL MEASURES WOULD BE TAKEN TO ENSURE THAT THE WORK OF THE CSCE CONFERENCE COULD PROCEED NORMALLY WITHOUT ANY INTERRUPTIONS. NOTHING COULD BE PERMITTED TO TAKE PLACE WHICH COULD DISTURB THE ATMOSPHERE OF THIS IMPORTANT GATHERING. THE GOY WOULD NOT PERMIT FOREIGN CITIZENS, ENTERING THE COUNTRY AS TOURISTS, TO ENGAGE IN

ACTIVITIES WHICH WOULD DISTURB PEACE AND ORDER. THOSE FOREIGN CITIZENS WHO INSISTED IN ENGAGING IN SUCH THINGS AS PRESS CONFERENCES,

DEMONSTRATIONS, AND OTHER ACTIVITIES DIRECTED AGAINST PARTICIPATING COUNTRIES WERE ABUSING THE HOSPITALITY OF YUGOSLAVIA AND WOULD BE DENIED PERMISSION TO STAY IN THE COUNTRY. SUCH PERSONS, HE SAID, WERE NOT ARRESTED OR DETAINED, BUT WERE DENIED PERMISSION TO REMAIN AND OBLIGED TO LEAVE BY THE FIRST AVAILABLE PLANE.

4. MANETOVIC SAID HE HAD CHECKED WITH POLICE AND HAD BEEN INFORMED THAT TWO AMERICAN CITIZENS, ANDREW SEDYNSKY (FROM JOURNALISTS EMBASSY UNDERSTANDS NAME IS FEDYNSKY) AND ADAM MISZTAL, REPRESENTATIVES OF A UKRAINIAN HELSINKI COMMITTEE, HAD BEEN ESCORTED TO A PLANE FOR VIENNA ON THE AFTERNOON OF JUNE 28.

5. MANETOVIC APOLOGIZED THAT "BECAUSE OF THE CONFUSION OF THE FIRST DAY OF THE CONFERENCE" ACCESS AND TIMELY NOTIFICATION HAD NOT BEEN GIVEN IN THE CASE OF MRS. MANEKOFSKY (REF A). WHEN ASKED ABOUT CASE OF LEOPOLD DENDE (REF B) HE SAID THAT FSFA HAD NOT BEEN INFORMED ABOUT CASE AND THAT IF HE HAD BEEN DENIED PERMISSION TO TELEPHONE EMBASSY, SOME OFFICIAL HAD BEEN IN ERROR. HE PROMISED TO CHECK INTO CASE.

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/053 W

-----128916 291858Z /47

O R 291630Z JUN 77
FM AMEMBASSY BELGRADE
TO SECSTATE WASHDC IMMEDIATE 1264
INFO CSCE COLLECTIVE
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C O N F I D E N T I A L SECTION 2 OF 2 BELGRADE 4388

6. MANETOVIC EXPRESSED DESIRE OF GOY TO LIVE UP TO ITS COMMITMENTS AS EXPRESSED IN BILATERAL CONSULAR CONVENTIONS AND VIENNA CONVENTION AND TO INFORM FOREIGN EMBASSIES ABOUT SUCH PROBLEMS IN A TIMELY MANNER

AND TO FACILITATE CONSULAR ACCESS. HE SAID ALL APPROPRIATE YUGOSLAV GOVERNMENT DEPARTMENTS WERE AWARE OF THIS POLICY AND THAT IF THIS POLICY WAS NOT CARRIED OUT IT WAS ONLY BECAUSE OF "MISTAKES" OF INDIVIDUAL OFFICIALS.

7. DCM SAID THAT USG HAD A GREAT DEAL OF EXPERIENCE WITH INTERNATIONAL MEETINGS AND CONFERENCES AND THAT OUR EXPERIENCE WAS THAT PEACEFUL DEMONSTRATIONS, PRESS CONFERENCES, ETC., MOUNTED BY INDIVIDUALS OR GROUPS DID NOT INTERFERE WITH PROPER FUNCTIONING OF MEETINGS. IT OBVIOUS, HOWEVER, THAT U.S. AND GOY HAVE DIFFERENT PERCEPTIONS OF THIS AND THAT WE WERE NOT ASKING FOR SPECIAL TREATMENT OF U.S. CITIZENS. HE REEMPHASIZED IMPORTANCE OF TIMELY NOTIFICATION AND CONSULAR ACCESS AND REQUESTED MANETOVIC TO AGAIN MAKE AN EFFORT TO INSURE THAT ALL GOY DEPARTMENTS AWARE OF POLICY.

8. EMBASSY SPOKESMAN WILL RESPOND TO ENQUIRIES ON AN "IF ASKED" BASIS: QUOTE EMBASSY OFFICERS MET JUNE 29 WITH OFFICIALS OF THE CONFIDENTIAL

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SFRY MINISTRY OF FOREIGN AFFAIRS WHO CONFIRMED THAT TWO AMERICAN CITIZENS, ANDREW FEDYNSKY AND ADAM MISZTAL, WERE EXPELLED FROM YUGOSLAVIA ON JUNE 28. WITH REGARD TO CONSULAR NOTIFICATION OF DETENTION AND CONSULAR ACCESS, THE EMBASSY POINTED OUT YUGOSLAV RESPONSIBILITIES UNDER THE VIENNA CONSULAR CONVENTION AND THE EXISTING CONSULAR TREATY BETWEEN OUR TWO COUNTRIES. WE HAVE BEEN ASSURED THAT WE WILL BE INFORMED PROMPTLY WHEN SUCH CASES ARISE AND THAT AMERICAN CITIZENS WILL BE PERMITTED TIMELY CONTACT WITH THEIR CONSULAR REPRESENTATIVES. UNQUOTE. AT THIS POINT EMBASSY SPOKESMAN IS INSTRUCTED TO AVOID ANY DISCUSSION OF YUGOSLAV LAWS OR HANDLING OF DEMONSTRATORS.

9. WE INTEND TO KEEP MAKING OUR POINT AS NECESSARY AND IF FURTHER INCIDENTS OCCUR ABOUT WHICH WE ARE NOT NOTIFIED AND NOT PERMITTED ACCESS AMBASSADOR WILL SEEK AN APPOINTMENT AT HIGHEST LEVELS OF FSFA TO MAKE DEMARCHE. EMBASSY REQUESTS THAT DEPUTY ASSISTANT SECRETARY ARMITAGE PHONE YUGOSLAV DCM MAKING POINTS SIMILAR TO THOSE GIVEN MANETOVIC. THIS ACTION WOULD BE PARTICULARLY USEFUL AS NOTION IS CURRENT IN BELGRADE THAT ONLY EMBASSY AND NOT DEPARTMENT CONCERNED OVER TREATMENT OF AMERICAN CITIZENS. WE BELIEVE ASST. SECRETARY VEST SHOULD CALL IN BELOVSKI IF AMBASSADOR IS COMPELLED TO MAKE DEMARCHE, TO REINFORCE EMBASSY'S PRESENTATION.

10. WE DO NOT WANT TO ENGAGE IN PUBLIC CHEST-THUMPING OR TO ESCALATE MATTER IN PRESS AND SUGGEST THAT DEPARTMENT SPOKESMAN, IF ASKED RESPOND AS OUTLINED IN PARA EIGHT.
EAGLEBURGER

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